

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RICHARD W. WERTZ, III,**  
**Plaintiff,**

**v.**

**DEBORAH RYAN, in her official capacity**  
**as District Attorney of Chester County,**  
**Defendant.**

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**CIVIL ACTION**

**No. 21-2129**

**ORDER**

**AND NOW**, this 12<sup>th</sup> day of **January 2022**, upon consideration of Defendant District Attorney (“DA”) Deborah Ryan’s Motion to Dismiss, Plaintiff Richard W. Wertz, III’s opposition thereto, and DA Ryan’s reply thereon; as well as Wertz’s Motion to Convert to Motion Under Rules 56 / 12(b)(1), DA Ryan’s opposition thereto, and Wertz’s reply thereon; and for the reasons stated in the Court’s Memorandum dated January 12, 2022, it is hereby

**ORDERED** that:

1. DA Ryan’s Motion to Dismiss (Document No. 6) is **GRANTED**.
2. Wertz’s Motion to Convert (Document No. 13) is **DENIED**.
3. The Complaint is **DISMISSED with prejudice**. The Clerk of Court is directed to close this case for statistical purposes.

**BY THE COURT:**



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**Berle M. Schiller, J.**